

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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THOMAS GESUALDI and FRANK FINKEL  
As Trustees of Local 282 International  
Brotherhood of Teamsters Welfare, Pension,  
Annuity, Job Training and Vacation Sick Leave  
Trust Funds,

Index No.: 09-CV-1067 (FB)(RER)

Plaintiffs,

**VOLUNTARY WITHDRAWAL**

-against-

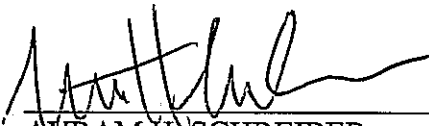
FCR CONSTRUCTION SERVICES LLC,

Defendant.  
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The undersigned, as attorney of record for plaintiffs herein, hereby voluntarily withdraws the above-entitled action as to FCR Construction Services LLC without prejudice solely as to the claims set forth in the complaint for period of July 2008 and for the periods of October 2008 through December 2008, inclusive, as all remittance reports and/or payments, including interest payments, attorneys fees and costs, have been submitted. This above-entitled action is hereby voluntarily withdrawn without waiver of or prejudice to the rights of the Trustees of Local 282 I.B. of T. pertaining to the posting of a surety bond or alternate security and to audit the books and records of defendant for all periods, including the periods set forth in the complaint, and to collect any additional contributions, interest, liquidated damages, audit fees, attorneys' fees and costs found to be due and owing for said periods as a result of the audit.

Dated: New York, New York

~~April~~ 13, 2009  
MAY 13

  
AVRAM H. SCHREIBER  
Attorney for Plaintiffs  
40 Exchange Place, Ste. 1300  
New York, New York 10005  
212-425-7670  
(AS-2860)

SO ORDERED:

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FREDERIC BLOCK – U.S.D.J.